

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JANE DOE *et al.*,

CASE NO. 1:07cv2787

JUDGE DAN A. POLSTER

*Plaintiffs*

**Plaintiffs' Brief in Opposition to  
Defendant's Motion to Strike Notice of  
Additional Authority/Evidence**

vs.

DEAN BOLAND

*Defendant*

Now come the Plaintiffs, in opposition to Defendant's Motion to Strike, and state that the Defendant's motion is not well taken for the following reasons:

1. Defendant claims that "plaintiffs have either altered or provided a draft version of a website that not longer exists.<sup>1</sup> This is absolutely false. Exhibit "1" to the Notice of Supplemental Authority/Evidence has been altered in no way. Nor is it draft language when the

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<sup>1</sup> Deft's Motion to Strike at 1

Defendant has distributed it to the public. Defendant sent this precise language in an email on June 2, 2009 in an attempt to solicit business to seek compensation on behalf children who are victims of exactly what he did to the minor plaintiffs in this case. He was bold/careless enough to send it to law enforcement officials billing himself as an expert in this field. Apparently being sued for such a violation constitutes the basis for his “firms experience nationwide in these types of cases.”

2. Defendant’s claim that this website no longer exists is also a falsehood. As of this morning, anyone with a computer can log on to [www.bolandlegal.com](http://www.bolandlegal.com), click on the “Your Rights” tab on the bottom, and read nearly an identical business solicitation. As of this morning, the website still contains the language: “Whether a victim is aware of that possession of the image or not, they are entitled to compensation for conduct that violates the law and for which there is no exception under the law.”

3. Plaintiffs maintain the minor victims have been damaged even though they are unaware of the existence of the images. Defendant has conceded that damage has occurred on his own website and has undermined his own position in an advertisement held out to the public and sent to members of the public as an solicitation. Defendant should not be heard to further the meritless position he has chosen to defend upon in light of his admissions to the contrary by falsely claiming that the website no longer exists or that plaintiffs counsel altered the language displayed therein.

Respectfully submitted,

/s/ Jonathan E. Rosenbaum

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**Proof of Service**

A true and accurate copy of the foregoing has been electronically served this 8<sup>th</sup> day of June, 2009 by the Court's electronic filing system

/s/ Jonathan E. Rosenbaum

JONATHAN E. ROSENBAUM

Supreme Court Reg. No. 0021698

Attorney for Plaintiffs